



DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PHOTOVOLTAIC APPARATUS INCLUDING SPHERICAL SEMICONDUCTING PARTICLES

the specification of which, was filed on **July 25, 2003**, and accorded serial number **10/626,868**.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Priority Benefits Claimed?

Yes___ No___

(Application No.)

(Country)

(Filing Date)

Provisional Application(s)

We hereby claim the benefit under 35 United States Code, Section 119(e) of any United States provisional application(s) listed below:

(Application No.)

(Filing Date)

Prior U.S. Application(s)

We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject

matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, we acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application No.) _____ (Filing Date) _____ (Status - patented, pending, abandoned) _____

And we hereby appoint the law firm of Katten Muchin Zavis Rosenman and all practitioners who are associated with the Customer Number 27160 as our principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Direct Correspondence To: Customer Number: 27160

**Direct Telephone Calls To: Richard P. Bauer
at Telephone Number (202) 625-3500**

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:

Milfred Dale HAMMERBACHER

Inventor's signature: _____

Date: _____

June 15, 2004

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Full name of second inventor:

Mark Douglass MATTHEWS

Inventor's signature: Mark Douglas Matthews

Date: 6-15-04

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